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9D-DW-19893
PATENT

7-12-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DiEnno et al.

Serial No.: 09/682,422

Filed: August 31, 2001

For: RIBBED ESCUTCHEON FOR
APPLIANCE DOOR ASSEMBLY

Art Unit: 3637

Examiner: Gerald A. Anderson

RESPONSE TO RESTRICTION REQUIREMENT

Hon. Commissioner for Patents
Box: NON-FEE AMENDMENT
Washington, D.C. 20231

In response to the Office Action dated December 27, 2002, Applicants elect for prosecution in this application all claims that belong to Group I, i.e., claims 1-11.

Reconsideration of the restriction requirement imposed under 35 U.S.C. §121 is respectfully requested.

A restriction to either invention I, consisting of claims 1-11 drawn to an escutcheon, classified in class 312, subclass 257.1 or invention II, consisting of claims 12-20, drawn to a door, classified in class 49, subclass 501, was imposed. In response, Applicants elect with traverse to prosecute the invention of Group I, claims 1-11.

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The requirement for election is traversed because the inventions set out by the claims in Groups I and II are clearly related. Applicants submit that a thorough search and examination of any one Group would be relevant to the examination of the other Group and would not be a


Adjustment date: 08/26/2003 EEKUBAY1
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burden on the Examiner. Additionally, requirements for election are not mandatory under 35 U.S.C. §121. Accordingly, reconsideration of the election requirement is requested.

Applicants additionally elect the flat door species. Claims 1-2 and 4-9 are submitted to be the Group I claims which fall within the flat door species.

Respectfully Submitted,



Thomas M. Fisher
Registration No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070

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TRANSMITTAL

1. Transmitted herewith is:

Response to Restriction Requirement in response to Office Action dated
December 27, 2002 (2 pgs.)

STATUS

2. Applicant

Claims small entity status.

☒

is other than a small entity.

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being:

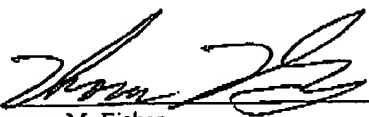
MAILING

deposited with the United States Postal Service with
sufficient postage as "Express Mail Post Office to
Addressee" in an envelope addressed to: Commissioner
for Patents, Washington, D.C. 20231.

FACSIMILE

☒ Transmitted by facsimile to the Patent and
Trademark Office

Date:


Thomas M. Fisher
Reg. No. 47,564

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) _____ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
_____ first month	\$ 110.00	\$ 55.00
_____ Second month	\$ 410.00	\$ 205.00
_____ Third month	\$ 930.00	\$ 465.00
_____ Fourth month	\$1,450.00	\$ 725.00
_____ fifth month	\$1,970.00	\$ 985.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension of _____ months has already been secured. The fee paid therefor \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	SMALL ENTITY ADDITIONAL RATE FEE	OR	OTHER THAN SMALL ENTITY ADDITIONAL RATE FEE
TOTAL	MINUS	=		x \$9 = \$		x \$18 = \$
INDEP.	MINUS	=		x \$42 = \$		x \$84 = \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$140 = \$		+ \$280 = \$
				TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$

- (a) ☒ No additional fee for claims is required.

OR

- (b) _____ Total additional fee for claims required \$

FEE PAYMENT

5. _____ Attached is a check in the sum of \$ _____
 _____ Charge Deposit Account No. 01-2384 the sum of \$
 A duplicate of this transmittal is attached.

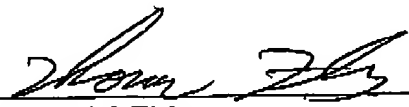
FEE DEFICIENCY

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

- ☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7. _____ Other:


 Thomas M. Fisher
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 ARMSTRONG TEASDALE LLP
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 St. Louis, MO 63102-2740
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